

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

Application of **Atlantic Broadband Enterprise, LLC**)
For a Certificate of Public Convenience and)
Necessity to Provide Facilities-Based Local Exchange)
And Resold Long Distance Telecommunications)
Services And for Flexible Regulation of Local Exchange)
Services And Alternative Regulation of Long Distance)
Service Offerings)

**MOTION FOR PROTECTIVE TREATMENT AND
BASIS FOR FILING EXHIBIT AS TRADE SECRET**

Atlantic Broadband Enterprise, LLC (“Atlantic Broadband” or “Applicant”), by its attorneys and pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, Commission Order No. 2005-226, and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment ("Motion"). By this Motion, the Applicant seeks protective treatment by the Public Service Commission of South Carolina ("Commission") of certain commercially-sensitive financial statements filed as a trade secret and attached as ***Exhibit C*** to the Application for Authority to Provide Facilities-based Local Exchange and Resold Long Distance Telecommunications Services, for Flexible Regulation of Local Exchange Services and Alternate Regulation of Long Distance Service Offerings ("Application"). Because this Motion is an inseparable part of the Application, it is being filed concurrently with the Application.

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicant is:

Atlantic Broadband Enterprise, LLC
2 Batterymarch Park, Suite 205
Quincy, MA 02169
Phone: (617) 786-8800

2. Correspondence or communications regarding this Motion should be addressed to:

Bonnie D. Shealy, Esquire
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202
Telephone: (803) 779-8900
Facsimile: (803) 252-0724
Email: bshealy@robinsonlaw.com

with a copy to:

Sharon Thomas, Consultant to Atlantic Broadband Enterprise, LLC
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, Florida 32751
Telephone: (407) 740-3031
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I. Description of Confidential Information.

3. The Application requires Atlantic Broadband to disclose evidence of financial fitness through the submission of documentation of its financial resources and ability to provide the requested service. In conformity with this requirement, the Applicant submits the audited financial statements of Acquisitions Cogeco Cable II, Inc., now known as Cogeco Communications (USA), Inc. (“Cogeco”), its ultimate holding company. These documents contain highly confidential and strictly proprietary information, the public disclosure of which may result in direct, immediate and substantial harm to the competitive position of Atlantic Broadband and Cogeco in South Carolina and elsewhere.

II. Grounds for Claim of Confidentiality.

4. Applicant is presently immune from a legal obligation to prepare or submit financial statements, or any other financial information, to any public entity. As such, statements

attached as ***Exhibit C*** to the Application are not readily available to persons external to Applicant.

5. Because the financial statements submitted by Applicant in support of the Application contain confidential and commercially-sensitive information from which its competitors may derive economic value, Applicant seeks to protect such material from public disclosure. Applicant derives independent economic value from the fact that significant, detailed and proprietary information regarding their financial structure and current financing activities is unknown to its competitors. As such, the financial statements are a “trade secret” as that term is used in South Carolina Trade Secrets Act, S.C. Code Section 39-8-20(5). Given this fact, the disclosure of this information could provide existing and potential competitors, including local exchange and interexchange carriers in South Carolina, as well as in other states in which Applicant provides or intends to provide telecommunications or other services, with an unfair and undeserved competitive advantage.

6. Applicant clarifies herein that its request for protection applies only to the financial statements attached as ***Exhibit C*** to the Application. Applicant is not seeking protection of any type for those reports Applicant is required to file with the Office of Regulatory Staff (“ORS”) should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, and Universal Service Fund Worksheet.

CONCLUSION

7. The financial information included in support of Atlantic Broadband’s Application, for which Confidential Treatment is sought, is both proprietary and competitively sensitive. The substantial and direct harm that could be caused to Atlantic Broadband or Cogeco as a result of disclosure is real and not speculative. Moreover, to date, no other jurisdiction or

governmental agency has required Applicant to make this information available to the public. For all these reasons, the financial statements attached as ***Exhibit C*** to the Application should be protected from public disclosure the Commission.

WHEREFORE, Atlantic Broadband respectfully requests that the Public Service Commission of South Carolina grant this Motion for Protective Treatment with respect to the financial statements attached as ***Exhibit C*** to the Application to Provide Facilities-based Local Exchange and Resold Long Distance Telecommunications Services, for Flexible Regulation of Local Exchange Services and Alternate Regulation of Long Distance Service Offerings throughout the State of South Carolina and filed under seal as Confidential in this proceeding.

Dated this 26th day of August, 2016.

Robinson, McFadden & Moore, P.C.

/s Bonnie D. Shealy
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CONFIDENTIAL & PROPRIETARY
FILED UNDER SEAL